

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TRUMBULL INS. CO., as Subrogee of John and  
Linda Eibeck, and THE CINCINNATI INS. CO., as  
Subrogee of TKM Group, d/b/a Marion RV Storage,

Plaintiffs,

v.

TIFFIN MOTORHOMES, INC.,

Defendant/Crossclaimant,

and

THETFORD CORPORATION, d/b/a Norcold, and  
NORCOLD, INC.,

Defendants/Crossclaim Defendants.

Case No. 19-cv-146-JPG-RJD

**MEMORANDUM AND ORDER**

This matter comes before the Court for case management purposes. In February 2019, defendants Tiffin Motorhomes, Inc. and Thetford Corporation removed this case from the Circuit Court for the First Judicial Circuit, Williamson County, Illinois, pursuant to 28 U.S.C. § 1441(b) on the basis of original diversity jurisdiction as set forth in 28 U.S.C. § 1332(a)(1). At that point, there was complete diversity between the plaintiffs, citizens of Connecticut and Ohio, respectively, and the defendants, citizens of Alabama and Michigan, respectively.

On April 12, 2019, plaintiffs Trumbull Ins. Co. and The Cincinnati Ins. Co. filed the First Amended Complaint adding defendant Norcold, Inc. There is no indication in the record of Norcold Inc.'s citizenship, but its website suggests its principal place of business may be in Ohio. *See* <https://norcold.com/history/> ("To better supply customers in the Midwest and accommodate rapid growth, **Norcold moved to its current Sidney, Ohio**, location in 1964 and

began producing refrigerators there exclusively” (emphasis in original); also noting manufacturing plant in Gettysburg, Ohio); *see also Ratner v. Norcold, Inc.*, No. 3:10-0524, 2011 WL 94421, at \*1 (M.D. Tenn. Jan. 11, 2011) (noting Norcold, Inc. is “a Delaware corporation with its principal place of business in Ohio”). If the principal place of business of Norcold, Inc. is in Ohio, it is therefore a citizen of Ohio under 28 U.S.C. § 1332(c)(1) and complete diversity jurisdiction no longer exists. The Court would be obligated to remand this case to state court pursuant to 28 U.S.C. § 1447(e).

Because the defendants have invoked this Court’s diversity jurisdiction, it is incumbent upon them to satisfy the Court that federal jurisdiction still exists. Therefore, the Court **ORDERS** defendants Tiffin Motorhomes, Inc. and Thetford Corporation to **SHOW CAUSE** on or before August 2, 2019, why the Court should not find complete diversity no longer exists and should not remand this case to the Circuit Court for the First Judicial Circuit, Williamson County, Illinois, pursuant to 28 U.S.C. § 1447(e).

**IT IS SO ORDERED.**  
**DATED: July 19, 2019**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**